

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 20 1995
 Returned to applicant for correction FEB - 6 1995
 Corrected application filed _____ Map filed MAR 22 1995

The applicant Gary and Toni Garms

P.O. Box 170

Street and No. or P.O. Box No.

of Smith

City or Town

Nevada 89430

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place and Manner of Use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 23667 (Certificate 8084)

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

- The source of water is underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.06 cfs 10.04 acre-feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.11N., R.24E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. or at a point from which the NW corner of said Section 33 bears
distance to a section corner. If on unsurveyed land, it should be stated.
N40°43'33"E a distance of 1,641.67 feet.
- The existing permitted point of diversion is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, T.11N., R.24E.,
If point of diversion is not changed, do not answer.
M.D.B.&M. or at a point from which the SE corner of said Section 28 bears
S85°42'30"E a distance of 770.50 feet.
- Proposed place of use within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.11N., R.24E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
2.81 acres total
- Existing place of use 2.81 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T.11N., R.24E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
- Use was permitted from May 15 to August 30 of each year.
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) sprinkler system and ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes; or drilled well, etc.
- Estimated cost of works \$10,000
- Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Compared sm/gkl cl/ct By s/ Wyatt J. Owens
1466 Hwy 395
Gardnerville, Nv 89410
 Protested _____

APPROVAL

 OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and period of use of the waters of an underground source as heretofore granted under Permit 23667, Certificate 8084 is issued subject to the terms and conditions imposed in said Permit 23667, Certificate 8084 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 60816 and 60817 shall not exceed 646.04 acre-feet annually for the irrigation of 161.5 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of Permit 60816 expires Permit 60812-T.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, but not to exceed 10.04 acre-feet

~~annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.~~

Work must be prosecuted with reasonable diligence and be completed on or before September 11, 1996

Proof of completion of work shall be filed before October 11, 1996

Application of water to beneficial use shall be made on or before September 11, 1997

Proof of the application of water to beneficial use shall be filed on or before October 11, 1997

Map in support of proof of beneficial use shall be filed on or before October 11, 1997

Completion of work filed JUN 20 1996

Proof of beneficial use filed OCT 29 1997

Cultural map filed OCT 29 1997

Certificate No. 14795 Issued DEC 16 1997

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 27th day of October

A.D. 19 95

Christie Thiel

 State Engineer

by: Christine Thiel, P.E.,
 Deputy State Engineer